

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )  
Daniell )  
Serial No. 10/520,204 )  
Filing Date: 08/26/2005 ) Examiner: Anne R. Kubelik, Ph.D  
For: **Phytoremediation of Contaminant** )  
**Compounds Via Chloroplast Genetic** ) Art Unit: 1638  
**Engineering** ) Confirmation No. 7677  
\_\_\_\_\_  
)

RESPONSE TO OFFICE COMMUNICATION

Honorable Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

Applicant hereby responds to the Office communication mailed on 24 September 2008, wherein the Examiner points out that the previously filed response to the final Office action mailed on 13 March 2008, did not address claim rejections under Section 103(a) over Daniell (WO 99/10513) in view of Meagher et al. (1999, US Patent 5,965796) and further in view of Rathinasabapathi et al. (1994, *Planta* 193:155-162).

For the Examiner's convenience, Applicant files this response in replacement of the previous filing, so that all amendments and arguments appear in a single document. Some changes have been made in this response over the previously filed paper.

Counsel appreciates the opportunity to address the overlooked reference.